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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/577,362	06/16/2006	Kikuo Yamada	HOS-74	5196

7590 11/14/2008
H. Jay Spiegel & Associates PC
P.O. Box 11
Mount Vernon, VA 22121

EXAMINER

MCDONALD, SHANTESE L

ART UNIT	PAPER NUMBER
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3723

MAIL DATE	DELIVERY MODE
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11/14/2008 PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/577,362	YAMADA, KIKUO	
	Examiner	Art Unit	
	SHANTESE MCDONALD	3723	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 16 July 2008.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,3,4,7,9,12,13,16 and 18-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,3,4,7,9,12,13,16 and 18-26 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,3,4,7,9,12,13,16 and 18-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moss et al. in view of Suzuki et al.

Moss et al. teaches a cleaner, characterized in that a fringe belt is attached to a surface of a cleaner body comprising an insertion portion, 4, into which a supporting body for supporting the cleaner is inserted, the supporting body being a handle, having supporting rods corresponding to the insertion portion of the cleaner body and a grip, 2. Moss et al. also teaches that the fringe belt is comprised of a large number of fringes on a side in a longitudinal direction and a fringe supporting section for supporting each of the fringes, the fringe belt being made of non-woven fabric, the fringe belt overlaps, (col. 4, lines 6-15) and (col. 1, lines 22-24 and col. 2, lines 20-51). Moss et al. teaches all the limitations of the claims except for the fringe belts being fusion-bonded to the surface of the cleaner, a fiber bound body which is obtained by bundling a large numbers of fibers being fusion bonded to the surface of the cleaner, the fringe belt being fuse-bonded to the periphery of the fiber bound body, the fringe belt being convexly curved in a direction of inserting the supporting body and the cleaner body is provided with a sheet material with water-absorbing properties at a back surface opposite to the surface of the

fringe belts. Suzuki et al. teaches fusion-bonding fabric materials to the insertion portion of a cleaning body, and the cleaning body having a large number of water-absorbing fibers fusion-bonded to the surface of the cleaner, around the peripheral edge, (col. 13, lines 28-38), and the cleaner body being a water-absorbing material on a surface opposite the side with the fringe belts, (col. 6, lines 3-37). It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the invention of Moss et al. with the above listed limitations, as taught by Suzuki et al., in order to enhance the cleaning capabilities. It would have been further obvious to provide the tool of Moss with the fringe belt being fuse-bonded to the periphery of the fiber bound body, the fringe belt being convexly curved in a direction of inserting the supporting body, since Moss teaches that the fringe material can be attached at various locations of the cleaning body, and Suzuki teaches attaching the material around the periphery of the cleaning body, and since the cleaning body of Suzuki is in a convexly curved configuration, that would meant that the fringe material is attached in a convexly curved direction, and as a matter of obvious design choice.

Response to Arguments

Applicant's arguments filed 1/7/08 have been fully considered but they are not persuasive.

The Applicant argues that there is no motivation to combine the Moss and Suzuki references. The Examiner disagrees. Moss teaches a cleaner with a fringe belt attached to a surface of a cleaner body, and the fringe belt being comprised of a large

number of fringes. Moss teaches attaching the fringe material on various areas of the cleaner body, (col. 1, lines 21-54), and since it is taught that the fringe can be attached at many different positions one would be able to attach the fringe to the periphery.

Suzuki has been cited to show that one can join the fibers by fusion bonding. The Applicant argues that there is no motivation to combine the references, but the Examiner disagrees. Moss teaches attaching the fiber by sewing, and Suzuki teaches attaching the material to the cleaning body by sewing or heat sealing, (col. 13, lines 32-37), therefore one can attach the fringes of Moss by heat sealing or fusion bonding, as taught by Suzuki. Suzuki further teaches that the materials are attached to the peripheral edge. Moss teaches that different types of backing material can be used for the cleaning sleeve, (col. 2, lines 33-34), and Suzuki teaches that the cleaning cloth is a non-woven fabric comprised of PET, on the cleaning surface side, (col. 6, lines 13-37). Therefore, one could attach the fiber material of Moss on the side of the cleaning cloth opposite the cleaning side, as taught by Suzuki.

The Applicant further argues that the Suzuki reference does not teach extending the fringes to be convexly curved along a peripheral shape of the cleaner body. The Examiner disagrees. The Suzuki reference teaches a variety of embodiments of cleaning devices in which the main components are tow sheets attached by sewing or heat sealing, in order to form a cleaning portion, with a dusting portion located on the periphery of the cleaning portion. In the embodiments of figures 28a-28d, the dusting/cleaning portion is comprised of strap-like or pile-like dusting portions located around a perimeter of the cleaning portion, 32', (col. 24, lines 23-35). In figure 28d, the

dusting portion are formed convexly curved around a peripheral shape. In figure 30b, Suzuki teaches fringes which are joined to the body 32' by heat sealing along the side peripheral edge, (col. 24, lines 51-65). Since Suzuki teaches an embodiment where the dust portion can extend along a convex curved portion of the peripheral edge, then one can use the teaching of Suzuki to teach that the dust portion 33' as seen in figure 30b, can also extend along a convexly curved portion of the peripheral edge. Further Suzuki teaches that the cleaning cloth of his present invention may take on any form as long as it can exhibit a bag0like configuration having an insertion space therein, (col. 6, lines 38-40).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHANTESE MCDONALD whose telephone number is (571)272-4486. The examiner can normally be reached on 8:00 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on (571) 272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

S.L.M.
November 10, 2008

/Joseph J. Hail, III/
Supervisory Patent Examiner, Art Unit 3723